



AGENDA BILL APPROVAL FORM

Agenda Subject: Adoption of Resolution No. 4476, extending for six months. the moratorium on development within the 100-year FEMA floodplain		Date: April 22, 2009
Department: Planning	Attachments:	Budget Impact: none

Administrative Recommendation:

City Council conduct a public hearing to consider an extension of the moratorium on development within the FEMA 100-year floodplain, previously approved under Resolution No. 4416, and amended by Resolution No. 4442. *(See Item VIII.B.1, Resolution No. 4476, for further action on this item.)*

Background Summary:

On November 17, 2008, Auburn City Council enacted an initial six month moratorium on development within the Federal Emergency Management Agency (FEMA) identified 100-year floodplain. This moratorium was issued as a result of the finding by the National Marine Fisheries Service (NMFS) that administration of the National Flood Insurance Program jeopardizes Endangered Species. The purpose of the moratorium was to give these federal agencies time to complete technical assistance for local jurisdictions, and in the interim, limit liability to private parties and the city.

Since the November 17th Council meeting, City staff has taken the following actions:

- City staff formed a staff floodplain moratorium working group to review development proposals and move forward those projects that have no impact on the floodplain (i.e. interior remodels, removal of fill or impervious surface, demolition, etc.)
- Staff organized and led a public information meeting on the moratorium and Biological Opinion on December 10th. Over 50 people were in attendance.
- After testimony on this issue at the January 5th Council public hearing, the Mayor requested that Planning Staff form a community task force to assist in resolving this issue.
- Council approved an amendment to the moratorium (Resolution No. 4442), allowing processing of boundary line adjustments, environmental review applications, and development applications on those portions of a property not wholly impacted by the 100-year floodplain.
- The community task force has met three times, and is scheduling another meeting for mid to late May.
- Staff have been communicating with FEMA and NMFS, and Auburn organized a regional meeting on the Biological Opinion on March 23rd. There were close to 50 people in attendance, and representatives from our community task force, six other jurisdictions, and FEMA.

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O3.10.8

Reviewed by Council & Committees: <input type="checkbox"/> Arts Commission <input type="checkbox"/> Airport <input type="checkbox"/> Hearing Examiner <input type="checkbox"/> Human Services <input type="checkbox"/> Park Board <input type="checkbox"/> Planning Comm. COUNCIL COMMITTEES: <input type="checkbox"/> Finance <input type="checkbox"/> Municipal Serv. <input type="checkbox"/> Planning & CD <input type="checkbox"/> Public Works <input type="checkbox"/> Other _____	Reviewed by Departments & Divisions: <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Building <input type="checkbox"/> Cemetery <input type="checkbox"/> Finance <input type="checkbox"/> Fire <input type="checkbox"/> Legal <input type="checkbox"/> Public Works <input type="checkbox"/> Information Services </div> <div> <input type="checkbox"/> M&O <input type="checkbox"/> Mayor <input type="checkbox"/> Parks <input type="checkbox"/> Planning <input type="checkbox"/> Police <input type="checkbox"/> Human Resources </div> </div>
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Action:

Committee Approval: ☐ Yes ☐ No
 Council Approval: ☐ Yes ☐ No
 Referred to _____ Until ____/____/____
 Tabled _____ Until ____/____/____

Call for Public Hearing 5 / 18 / 2009

Councilmember: Norman	Staff: Baker
Meeting Date: May 4, 2009	Item Number: II.A.3

Agenda Subject: Adoption of Resolution No. 4476, extending for six months. the moratorium on development within the 100-year FEMA floodplain

Date: April 22, 2009

FEMA currently estimates that a model ordinance will complete the Endangered Species Act review process this Fall and be available for local jurisdictions to adopt. In the meantime, in order to continue to limit liability for private parties and the City, staff is recommending extending the moratorium six months to await the model ordinance.